

REMARKSI. Introduction

In response to the Office Action dated October 4, 2001, no claims have been cancelled, amended, or added. Claims 1-65 remain in the application. Re-examination and re-consideration of the application, as amended, is requested.

II. Prior Art Rejections

In paragraphs (2)-(3) of the Office Action, claims 1-65 were rejected under 35 U.S.C. §103(a) as being obvious in view of the publication by Marquis entitled "Profitability: Growing the bottom line," 1999 (Marquis).

Applicant respectfully traverses these rejections.

Applicant's independent claims 1, 23, and 44 are generally directed to an invention that performs financial processing in a computer. Account, event and organization attributes are accessed from a database accessible by the computer, wherein: (1) the account attributes comprise data about accounts being measured, (2) the event attributes comprise data about account-related transactions, and (3) the organization attributes comprise data about the organization's financial status. One or more profitability calculations are performed in the computer using the account, event and organization attributes accessed from the database, as well as one or more profit factors and one or more rules, wherein the profitability calculations include:

Profit	=	Net Interest Revenue (NIR)
	+	Other Revenue (OR)
	-	Direct Expense (DE)
	-	Indirect Expense (IE)
	-	Risk Provision (RP)

In these calculations, the Indirect Expense comprises costs not related to the accounts that are apportioned among all of the accounts in one or more groups. The cited reference does not teach or suggest all of the various elements of Applicant's independent claims.

The Marquis reference describes a number of different profitability calculations, as noted in the Office Action. However, Marquis does not anticipate nor render obvious Applicant's invention, because it does not describe the specific five factor profitability measurement recited in Applicant's claims, nor does it include a Risk Provision in its calculations of Profit, nor does it include an Indirect Expense that comprises costs not related to the accounts that are apportioned among all of

the accounts in one or more groups.

The Office Action cites the discussion of "matched pool funding" in Marquis for teaching the Risk Provision. However, Marquis merely describes allocating accounts into various pools to more accurately allocate their margins. In the Applicant's application, on the other hand, "Risk Provision" is defined as "the expected cost of risks that arise from the uncertainties of doing business," which is nowhere referred to in Marquis.

The Office Action also cites the discussion of "institution specific costs" in Marquis for teaching the Indirect Expense that comprises costs not related to the accounts that are apportioned among all of the accounts in one or more groups. However, Marquis merely describes such costs generally, and does not apportion the costs not related to the accounts among all of the accounts in one or more, in the manner recited in Applicant's claims.

Applicant's claimed invention provides operational advantages over the system disclosed in Marquis. Marquis reflects more traditional approaches of profitability calculation. Applicant's invention, on the other hand, describes a different, more sophisticated model for Profit calculations, as well as a different, more sophisticated set of relationships between the elements of the model. Marquis fails to teach or suggest the specific model, all of the elements of the model, or the relationships between the various elements.

Thus, Applicant submits that independent claims 1, 23 and 44 are allowable over Marquis. Further, dependent claims 2-22, 24-43 and 45-65 are submitted to be allowable over Marquis in the same manner, because they are dependent on independent claims 1, 23 and 44, respectively, and because they contain all the limitations of the independent claims. In addition, dependent claims 2-22, 24-43 and 45-65 recite additional novel elements not shown by Marquis.

### III. Conclusion

In view of the above, it is submitted that this application is in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicant's undersigned attorney.

Respectfully submitted,

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By his attorneys,

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